



COUNTY OF SAN DIEGO

DEPARTMENT OF PLANNING AND LAND USE: Zoning

AMENDMENT TO THE ZONING ORDINANCE RELATED TO SOLAR ENERGY SYSTEMS Customer FAQ Sheet

On September 15, 2010, the Board of Supervisors approved an amendment to the Zoning Ordinance regarding Solar Energy Systems.

Q. What are the changes?

- A. Previously, all solar energy systems intended for offsite use would require a Major Use Permit. The amendment made changes to regulations regarding photovoltaic solar energy systems for offsite use. With the proposed amendment, offsite use photovoltaic solar energy systems with project areas (not parcels) less than 10 acres will require an Administrative Permit and offsite use photovoltaic solar energy systems with project areas (not parcels) 10 or more acres in size will continue to require a Major Use Permit. All other types of offsite use solar energy systems other than photovoltaic systems, which include parabolic troughs, concentrating linear fresnel reflectors, stirling solar dishes, or solar power towers, would continue to require approval of a Major Use Permit.

Photovoltaic solar energy systems for onsite use will continue to be allowed as an accessory use in all zones upon approval of a building permit.

Q. What is the difference between a Offsite Use and Onsite Use Solar Energy System?

- A. Offsite use solar energy systems generate energy that is used predominately offsite and includes all types of solar energy systems. Whereas, onsite use solar energy systems generate energy that is used predominately onsite and consists only of photovoltaic solar energy systems.

Q. How do photovoltaic solar energy systems differ from other solar energy systems?

- A. There are three main types of solar energy systems permitted in the County of San Diego:
1. Photovoltaic (PV) solar energy systems convert sunlight directly to electricity using PV cells.
 2. Concentrating solar power (CSP) solar energy systems concentrate the sun's energy using reflective devices such as troughs or mirror panels to produce heat that is then used to generate electricity. Examples: parabolic troughs, concentrating linear fresnel reflectors, stirling solar dishes, or solar power towers.
 3. Solar water heating systems contain a solar collector that either heats water directly or heats a "working fluid" that, in turn, is used to heat water.

Q. Where can I put solar energy systems on my property?

- A. All solar energy systems must maintain a minimum 3 foot setback from any property line. Solar energy systems are permitted in the front, rear, and side yard setbacks but shall not exceed 30 inches above grade in the front and exterior side yard setbacks or 12 feet in height in the rear and interior rear yard setbacks.

Solar energy systems are permitted anywhere outside of front, rear, and side yard setbacks but shall not exceed the allowed maximum height by the height designator. Roof mounted solar panels are permitted but shall not extend more than 5 feet above the highest point of the roof. Roof mounted solar panels within the rear and interior side yard setbacks are permitted but shall not exceed 12 feet in total height (accessory building including solar panels).

Q. If I own two adjacent parcels, one developed with a house or business and the other is vacant. Can I place an onsite use solar energy system on the undeveloped parcel for use on the parcel developed with a home or business?

- A. No. Onsite solar energy systems must be accessory to a primary use. If sited on a vacant parcel, the solar energy system would be considered the primary use and would then require either an Administrative or Major Use Permit.

Q. What is the difference between processing an Administrative Permit versus a Major Use Permit for photovoltaic solar energy systems?

- A. Offsite use photovoltaic solar energy systems with project areas (not parcels) less than 10 acres require an Administrative Permit and systems with project areas (not parcels) 10 or more acres in size will continue to require a Major Use Permit. Major Use Permits require approval of the Planning Commission who listens to public testimony at a public hearing. Administrative Permits require approval of the Director of Planning and Land Use and do not require a public hearing. Both permits are discretionary meaning that approval or denial involves some judgment on the part of the County decision makers. In order for a project to be approved, it must be consistent with the Zoning Ordinance and General Plan and potential environmental impacts must be addressed. All decision makers consider potential environmental impacts and neighborhood compatibility before making a decision on any project. All decisions by the Director are appealable to the Planning Commission and all decisions by the Planning Commission are appealable to the Board of Supervisors.

Q. How long will it take to process my planning application?

- A. The length of time to process an application depends on many factors, including the complexity of the project, whether there is public controversy about the project, and whether the application materials you have provided are complete. From the time that a complete submittal is received, Administrative Permit reviews can generally take from two to five months. Since Major Use Permit require a public hearing and generally require environmental review, processing time takes approximately six to twelve months. If an Environmental Impact Report is required, processing may take an additional year or more. Applications approved by the county will generally include conditions of approval which must be satisfied by the property owner/applicant.